

02/25/02

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ATTORNEY DOCKET NO. HCC-12 (306\*203)

COMMISSIONER FOR PATENTS  
BOX PATENT APPLICATION  
WASHINGTON, D.C. 20231

"Express Mail" No.: EL 878196562 US

Date: February 20, 2002.

I hereby certify that this paper, along with any other paper or fee referred to in this paper as being transmitted herewith, is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, postage prepaid, on the date indicated above and is addressed to the Asst. Commissioner for Patents and Trademarks, Washington, D.C. 20231

J. Lynn Ferry

(Typed or printed name  
of person mailing paper)

J. Lynn Ferry  
Signature of person mailing paper

### APPLICATION TRANSMITTAL

Transmitted herewith for filing is the Patent application of inventor(s):

Greg Volgas, Johnnie Roberts and Amanda Hayes

For (title): AGRICULTURAL FORMULATION

#### 1. Type of Application

This new application is for a(n) (check applicable):

- ☒ Original
- ☐ Design
- ☐ Plant
- ☐ Divisional
- ☐ Continuation
- ☐ Continuation-in-part (CIP)

#### 2. Benefit of Prior U.S. Application(s)

- ☒ The new application being transmitted claims the benefit of prior U.S. application(s). 60/270,311 Filed February 21, 2001.

#### 3. Papers Enclosed Which are Required for Filing Date Under 37 CFR 1.53(b) (Regular) or 37 CFR 1.153 (Design) Application

13 Pages of specification

10/081627  
10/081627  
02/20/02  
10/081627  
02/20/02

8 Pages of claims

1 Pages of Abstract

0 Sheets of drawing

- ☐ formal
- ☐ informal

**4. Additional papers enclosed**

- ☐ Preliminary Amendment
- X Information Disclosure Statement (37 CFR 1.98)
- X Form PTO-1449
- X Citations
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
- ☐ Authorization of Attorney(s) to Accept and Follow Instructions from Representative
- ☐ Special Comments
- ☐ Other - Associate Power of Attorney

**5. Declaration or oath**

- X Enclosed executed by:
- X inventor(s)
  - ☐ legal representative of inventor(s). 37 CFR 1.42 or 1.43
    - ☐ joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached.
  - ☐ this is the petition required by 37 CFR 1.47 and the statement required by 37 CFR 1.47 is also attached.
- ☐ Not Enclosed - This application is filed in accordance with 37 CFR 1.41 by ASHLEY I. PEZZNER on behalf of the inventor(s). Ashley I. Pezzner is the attorney of applicant(s) and is authorized to file the application on behalf of applicant(s).
- ☐ Not Enclosed.

**6. Assignment**

- ☐ An assignment of the invention to

- ☐ is attached. A separate "Recordation Form Cover Sheet - PTO Form 1595" is also attached.
- ☐ the original was submitted in the parent application.

**7. Certified Copy**

Certified copy(ies) of application(s)

(country)	(appln. no.)	(filed)
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(country)	(appln. no.)	(filed)
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from which priority is claimed

- ☐ SUBMITTED IN PARENT APPLICATION
- ☐ will follow.

**8. Fee Calculation (37 CFR 1.16)**

**A. X Regular application**

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	<b>TOTAL CLAIMS</b>	-20	35	X \$18.00=	630.00
	<b>INDEPENDENT CLAIMS</b>	-3		X \$84.00=	0.00
	<b>MULTIPLE DEPENDENT CLAIMS (if applicable)</b>			+ \$280.00=	
				<b>BASIC FEE</b>	740.00
				Total of above Calculations =	1,370.00
	Reduction by 50% for filing by small entity 37 CFR 1.9, 1.27, 1.28. Verified Statement enclosed.				
	<b>TOTAL =</b>				1,370.00

- ☐ Amendment canceling extra claims enclosed.
- ☐ Amendment deleting multiple-dependencies enclosed.
- ☐ Fee for extra claims is not being paid at this time.

Filing Fee Calculation      \$1,370.00

**B. ☐ Design application**  
(\$155.00 - 37 CFR 1.16(f))

Filing Fee Calculation\$\_\_\_\_\_

- C. ☐ **Plant application**  
(\$460.00 - 37 CFR 1.16(g))

Filing Fee Calculation\$\_\_\_\_\_

9. **Small Entity Statement(s)**

- ☐ Applicant claims small entity (see 37 C.F.R. §1.27).  
☐ Filing Fee Calculation (50% of A, B or C above)

10. **Request for International-Type Search (37 CFR 1.104(d))** (*complete, if applicable*)

- ☐ Please prepare an international-type search report for this application at the time when national examination on the merits takes place.

11. **Fee Payment Being Made At This Time**

- ☐ Not Enclosed  
☐ No filing fee is to be paid at this time. (*This and the surcharge required by 37 CFR 1.16(e) can be paid subsequently.*)  
X Enclosed  
X basic filing fee \$1,370 .00  
☐ Recording assignment  
(\$40.00; 37 CFR 1.21(h)) \$ \_\_\_\_\_  
☐ petition fee for filing by other  
than all the inventors or person  
on behalf of the inventor where  
inventor refused to sign or cannot  
be reached. (\$130.00; 37 CFR  
1.47 and 1.17(h)) \$ \_\_\_\_\_  
☐ for processing an application with  
a specification in a non-English  
language. (\$130.00; 37 CFR 1.52(d) and  
1.17(k)) \$ \_\_\_\_\_  
☐ processing and retention fee  
(\$130.00; 37 CFR 1.53(d) and 1.21(l))  
☐ fee for international-type search report

(\$35.00; 37 CFR 1.21(e)).

\$ \_\_\_\_\_

**Total fees enclosed \$1,370.00**

**12. Method of Payment of Fees**

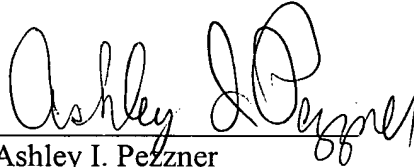
- ☒ Check in the amount of \$1,370.00 is enclosed.
- ☐ Charge Account No. 03-2775 in the amount of \$ \_\_\_\_\_. A duplicate of this transmittal is attached.

**13. Authorization to Charge Additional Fees**

X The Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 et seq which may be required (including the full fee if no check is attached), or credit any overpayment to, Deposit Account No. 03-2775. This is a "general authorization" under 37 CFR 1.25(b), except that no automatic debit of the issue fee upon allowance is authorized, except the Commissioner may debit the Deposit Account for any deficiency in or inadvertent omission of an issue fee which is submitted or attempted to be submitted after issuance of a Notice of Allowance.

This letter is being submitted in duplicate.

Respectfully submitted,



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Enclosure  
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